

Authority: North York Community Council Item NY9.1,
as adopted by City of Toronto Council on October 29 and
30, 2019

CITY OF TORONTO

Bill 488

BY-LAW -2020

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 2270-2280 and 2296 Eglinton Avenue West, 6 Sanderstead Avenue and 9 Croham Road.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in density of development;

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

Whereas subsection 37(3) of the Planning Act provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following

zone label to these lands: CR SS2 (x 254), as shown on Diagram 2 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1 and applying the following Policy Area label to these lands: PA-3, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label to these lands: HT 24.0, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1 as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40.1 as shown on Diagram 6 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900. 11.10 Exception Number [254] so that it reads:

Exception CR [254]

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and prevailing Sections.

Site Specific Provisions:

- (A) On 2270-2280 and 2296 Eglinton Avenue, 6 Sanderstead Avenue and 9 Croham Road, if the requirements of Section 9 and Schedule A of By-law [Clerks to supply by-law ##] are complied with, a **building, structure**, addition or enlargement is permitted in compliance with (B) to (U) below.
- (B) Despite Regulation 40.5.40.10 (1), the height of a **building** is the distance between the Canadian Geodetic Datum elevation of 158.69 metres and the elevation of the highest point of the **building**.
- (C) Despite regulation 40.10.40.40(1), the maximum permitted **Gross Floor Area** is 10,900 square metres.
- (D) Despite regulation 40.10.40.40(1), the maximum permitted **Gross Floor Area** for those uses listed in regulation 40.10.20.20 (1) (A) is 830 square metres.
- (E) Despite regulation 40.10.20.40(1), **dwelling units** are permitted in an **apartment building** and a **mixed-use building**.

- (F) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** in metres are as shown on Diagram 7 attached to By-law [Clerks to insert #].
- (G) Despite Regulation 40.10.40.10 (2), the permitted maximum height of a **building** or **structure** on a **lot** is the numerical value, in metres, following the letters "HT" as shown on Diagram 7 attached to By-law [Clerks to insert by-law number].
- (H) Despite Article 40.10.40.10 (7), the maximum number of **storeys** in a **building** is the numerical value following the letters "ST" as shown on Diagram 7 attached to By-law [Clerks to insert by-law number].
- (I) Despite Regulations 40.10.40.60 (1)(2)(3)(4)(5)(6)(7)(8) and (9), a deck, porch, balcony or similar **structure**, a canopy, awning or similar **structure**, pilaster, decorative column, cornice, sill, belt course or similar architectural feature, window projections, roof equipment, vents or landscape features may encroach into the required minimum **building setbacks** shown on Diagram 7 to a maximum of 1.8 metres.
- (J) Despite Regulation 40.10.40.50 (1), **amenity space** must be provided as follows:
 - (i) at least 3.4 square metres per **dwelling unit** of combined indoor and outdoor **amenity space**, and
 - (ii) at least 1.0 square metres of **amenity space** per **dwelling unit** required by (i) above must be provided on the roof.
- (K) Despite Regulation 40.10.40.60 (1), Decks, Porches and Balconies, may encroach into the required minimum **building setbacks** as per Diagram 7 attached to By-law [Clerks to insert by-law number].
- (L) Despite Regulation 200.5.10 (1) and Table 200.5.10.1, **parking spaces** must be provided as follows:
 - (i) Residential: a minimum of 77 vehicular **parking spaces**; and
 - (ii) Shared Non-Residential and Visitor: a minimum of 9 vehicular parking **spaces**.
- (M) Despite Regulation 200.5.1.10 (2), a maximum of two **parking spaces** are permitted to have a minimum length of 5.2 metres and must be identified as being for small cars.
- (N) Despite Regulation 200.15, a minimum of four accessible **parking spaces** must be provided.
- (O) Despite regulation 230.5.1.10(4) the minimum width of a **bicycle parking space** is 0.4 metres.

Prevailing By-laws and Prevailing Sections:

- (A) Section 16(138) in the former municipality of York By-law 1-83.

9. Section 37 Provisions

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on June , 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

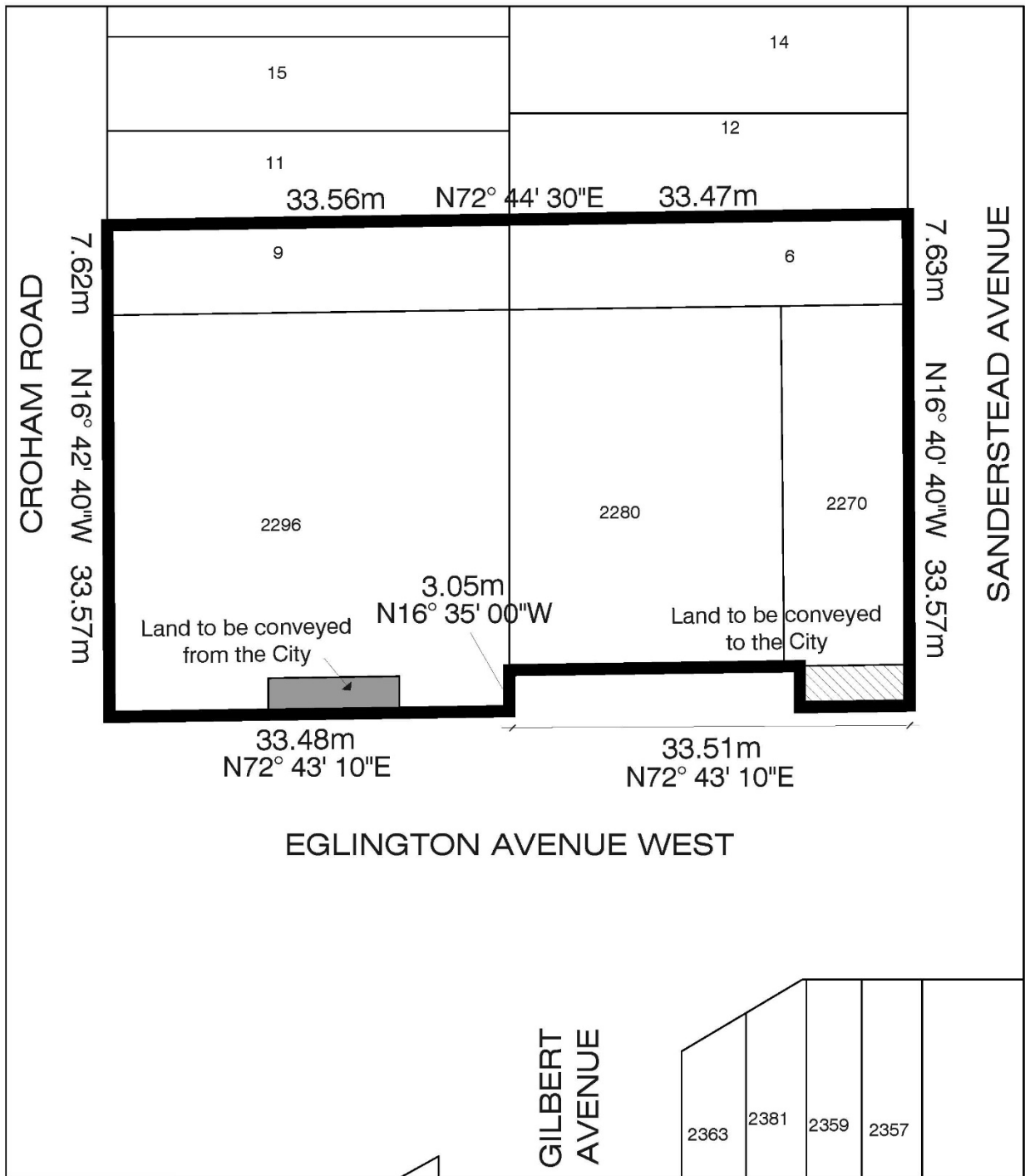
SCHEDULE A
Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

1. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
 - (i) Prior to the issuance of any above grade building permit, a Community Benefits monetary contribution of \$200,000.00 towards area parks improvements and/or streetscape improvements;
 - (ii) Streetscaping and public realm improvements nearby the site with a minimum value of \$270,000.00;
 - (iii) The financial contribution referred to in Part i. above shall be indexed in accordance with the Statistics Canada Apartment Building Construction Price Index for Toronto calculated from the date of execution of the Section 37 Agreement to the date of submission of the funds by the owner to the City, and
 - (iv) In the event the cash contribution(s) referred to in Part i. above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.
2. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (i) Prior to the issuance of any building permit for the site, excluding shoring and excavation, the Owner shall have obtained title to the lands shown on Attachment No. 16 as "Lands to be purchased from the City", such lands to be purchased from the City at fair market value;
 - (ii) The Section 37 Agreement will also secure streetscape improvements and a new public plaza at the front of the proposed development along Eglinton Avenue West, and ensure that the design of the streetscape improvements comply with the Streetscape Manual to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - (iii) The public plaza shall be maintained by the owner at its expense in a manner satisfactory to the Executive Director of Engineering and Construction Services

together with provisions for indemnification of the City to the satisfaction of the City Solicitor in connection to maintenance;

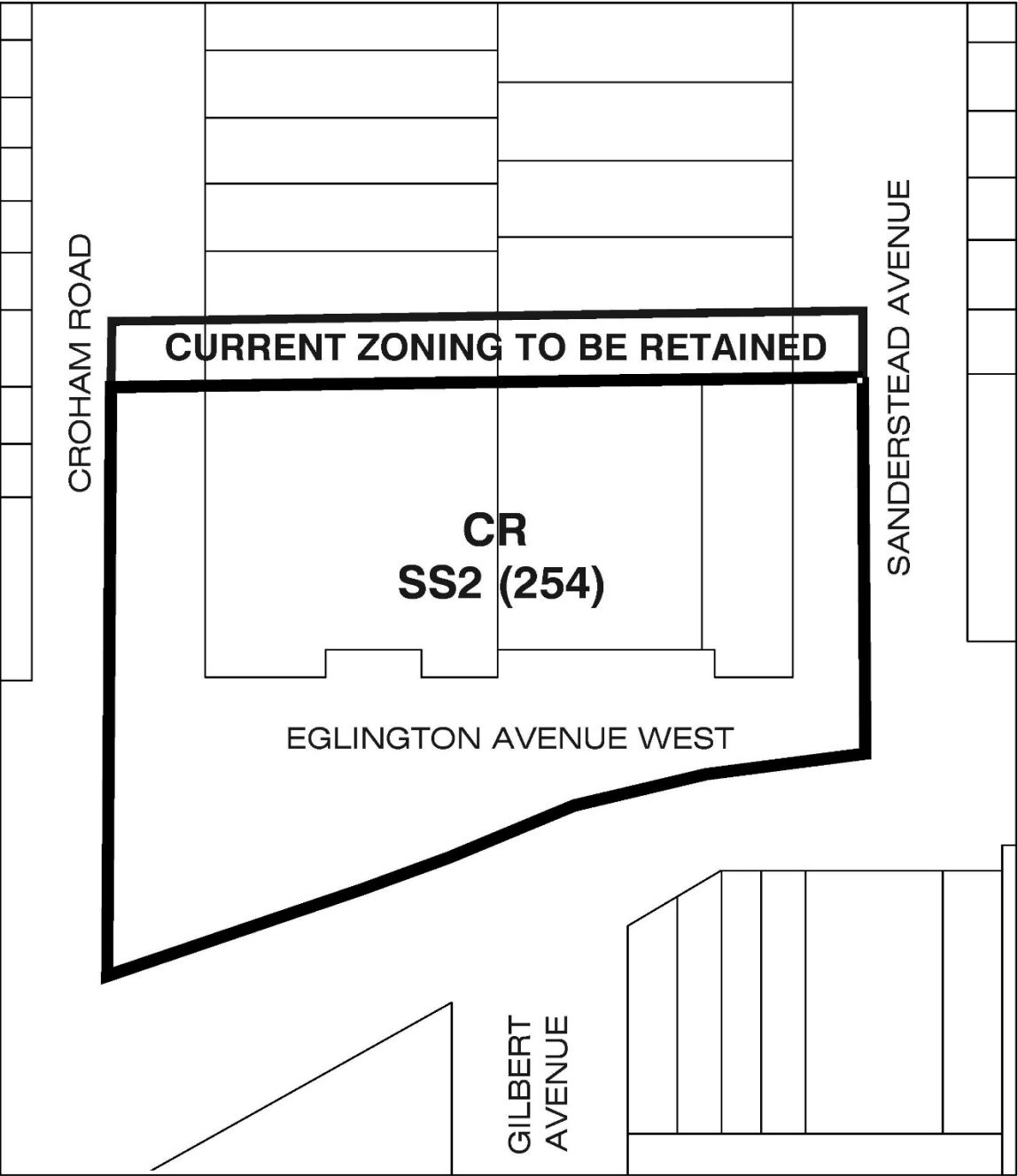
- (iv) A stratified easement on the east-west driveway to secure public access in favour of the City of Toronto to the satisfaction of the Chief Planner and Executive Director, and Executive Director of Engineering and Construction Services;
- (v) The owner shall provide the City with indemnification for the stratified easement to secure public access over the private laneway to the satisfaction of the City Solicitor;
- (vi) The owner shall be required to provide for the cost of any improvements to the existing servicing infrastructure deemed required to accommodate the proposed development; and
- (vii) The owner will be required to review, through the site plan approval process, final pavement markings and signage along Croham Road and Sanderstead Avenue, including any safety, access to the private lane, and transportation requirements related to these matters all to the satisfaction of the General Manager, Transportation Services and shall be at no cost to the City.



 **TORONTO**
Diagram 1

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

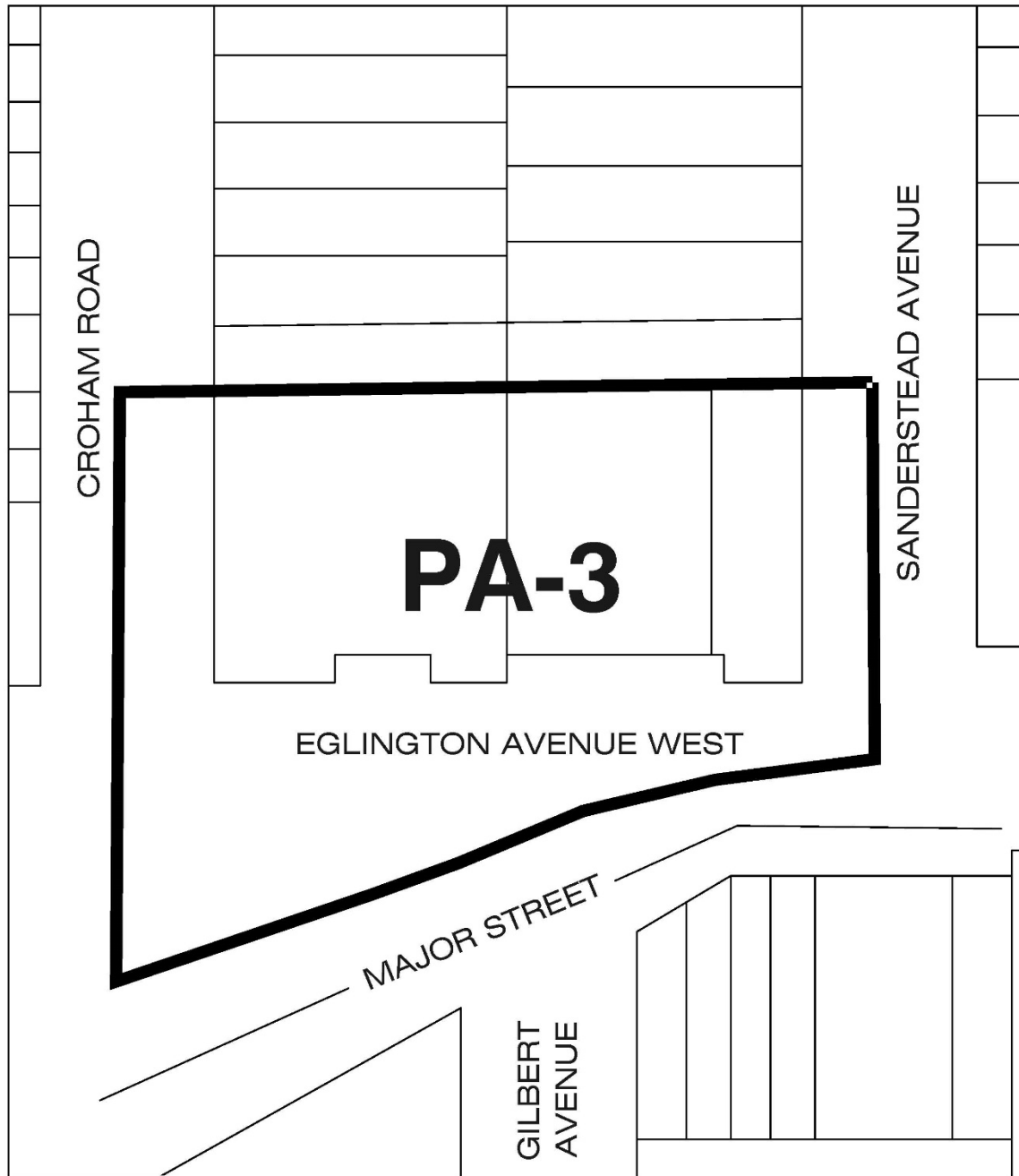
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 **TORONTO**
Diagram 2

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

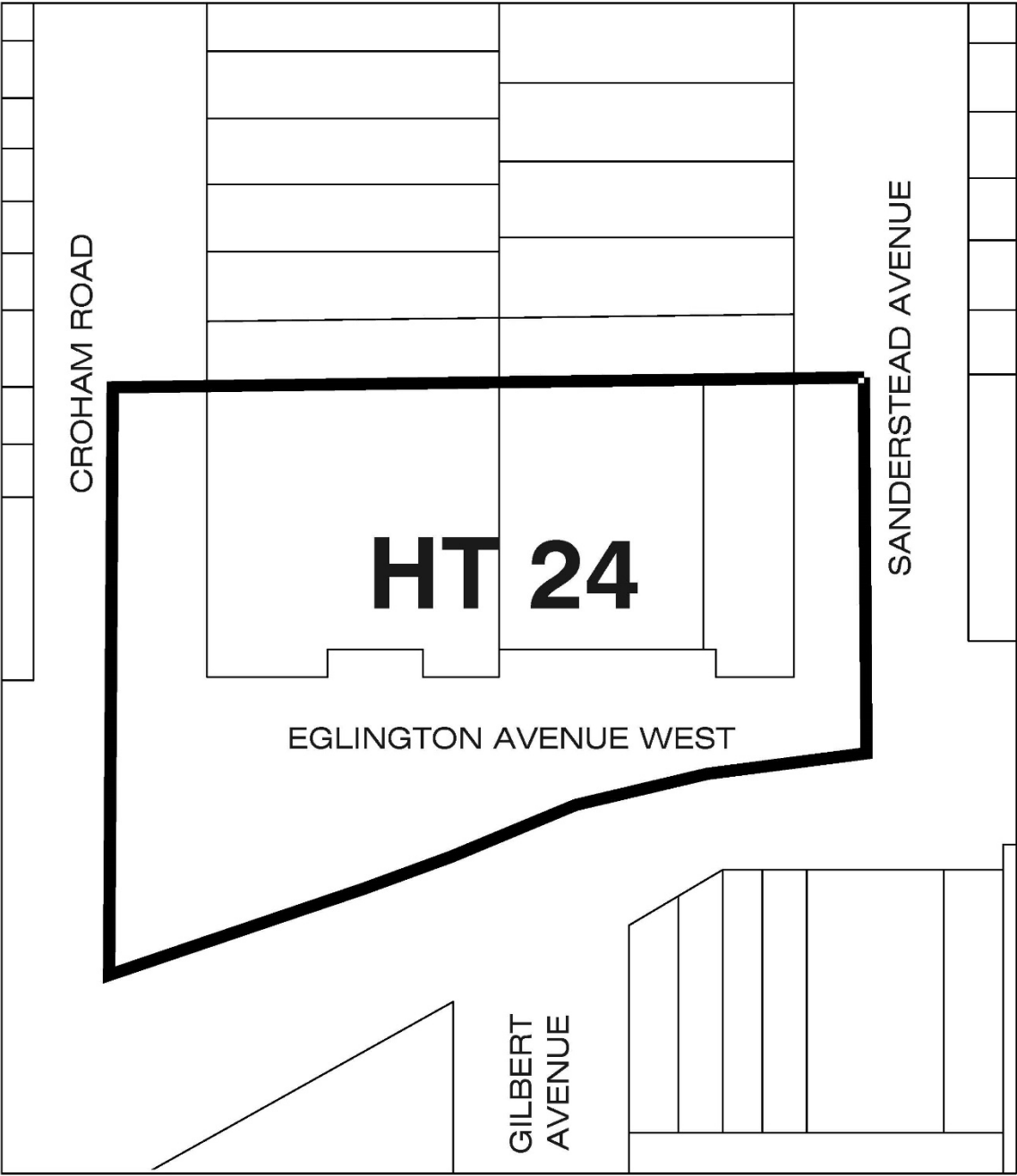
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 **TORONTO**
Diagram 3

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

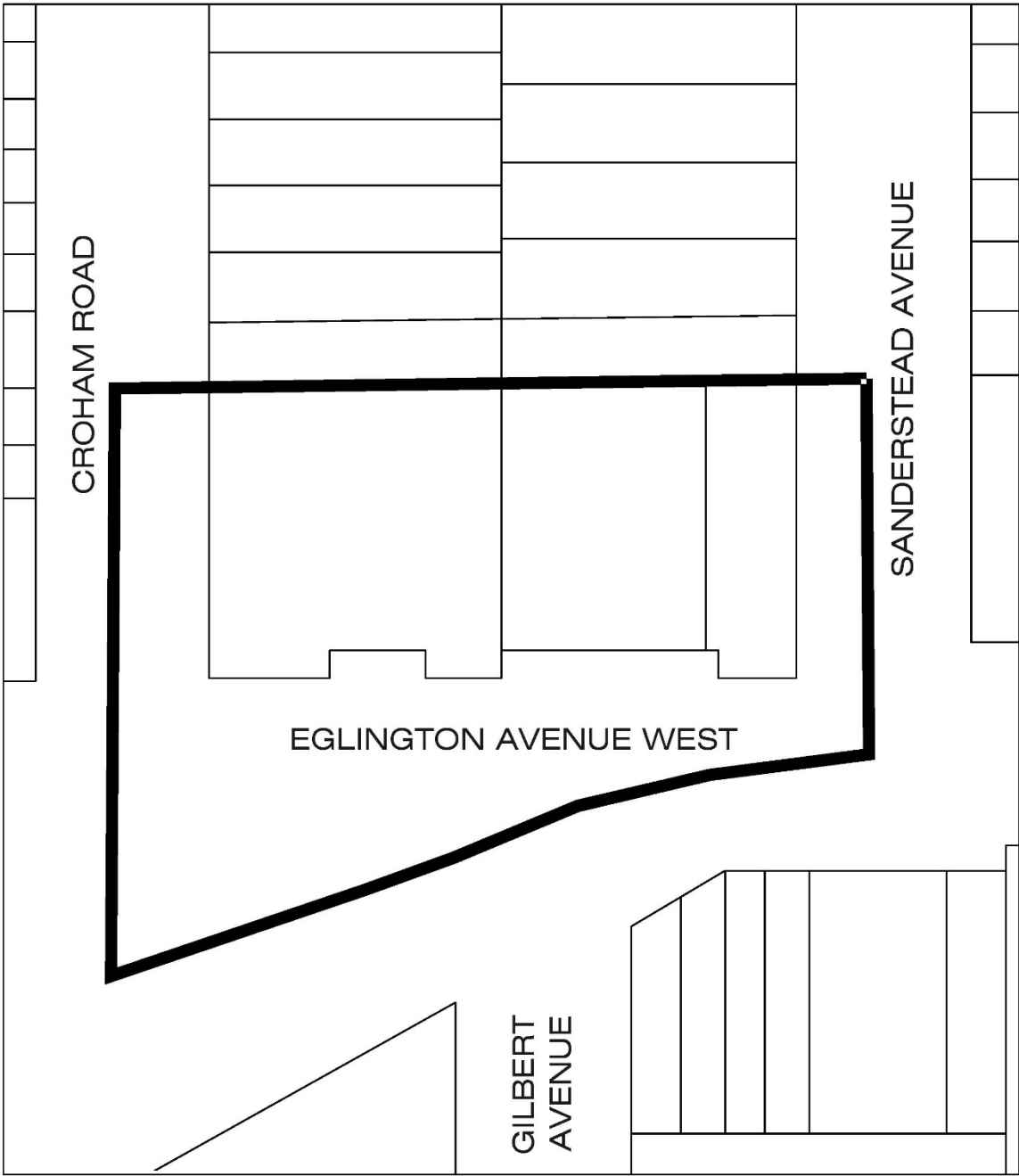
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 **Toronto**
Diagram 4

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

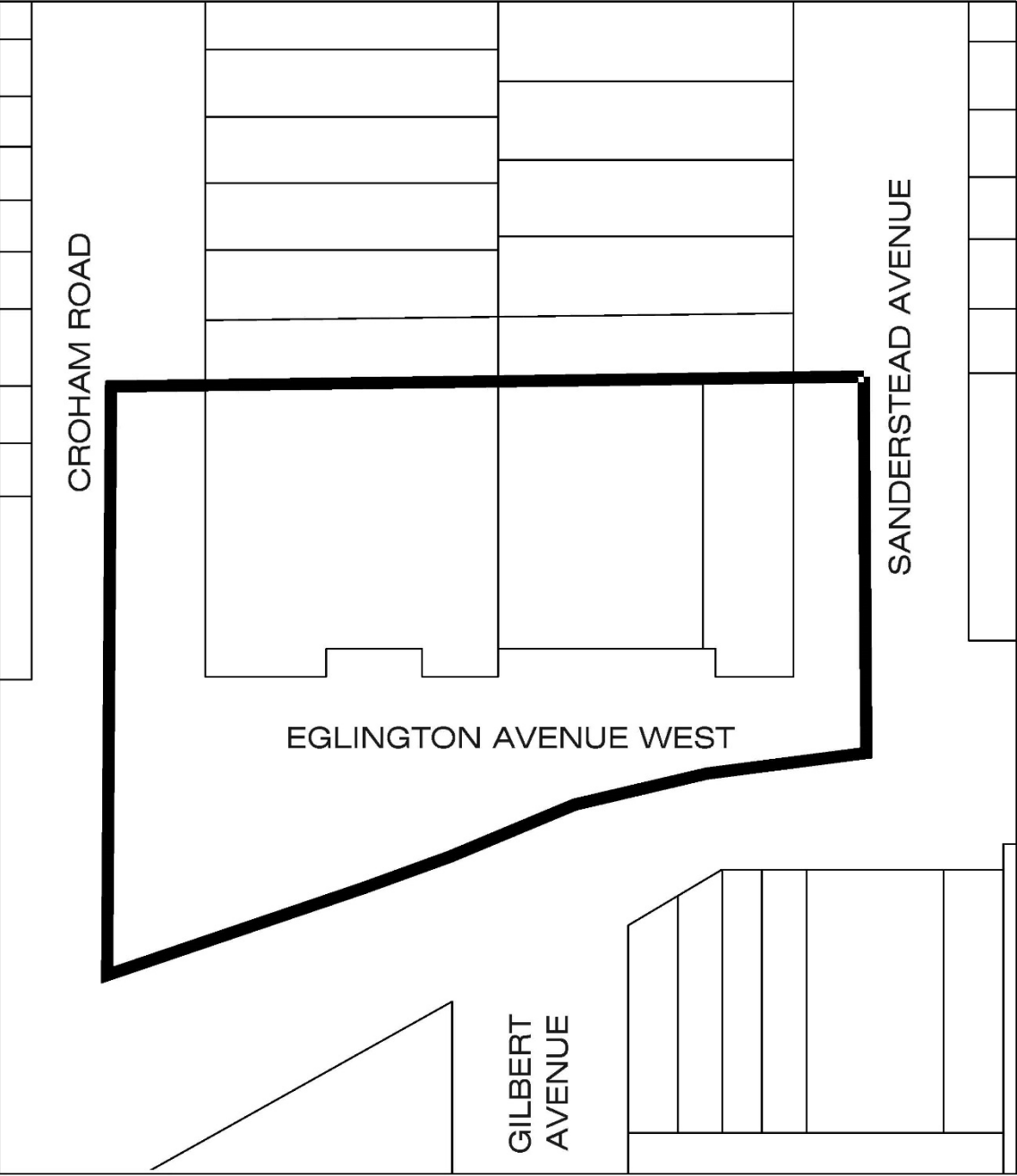
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 **Toronto**
Diagram 5

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

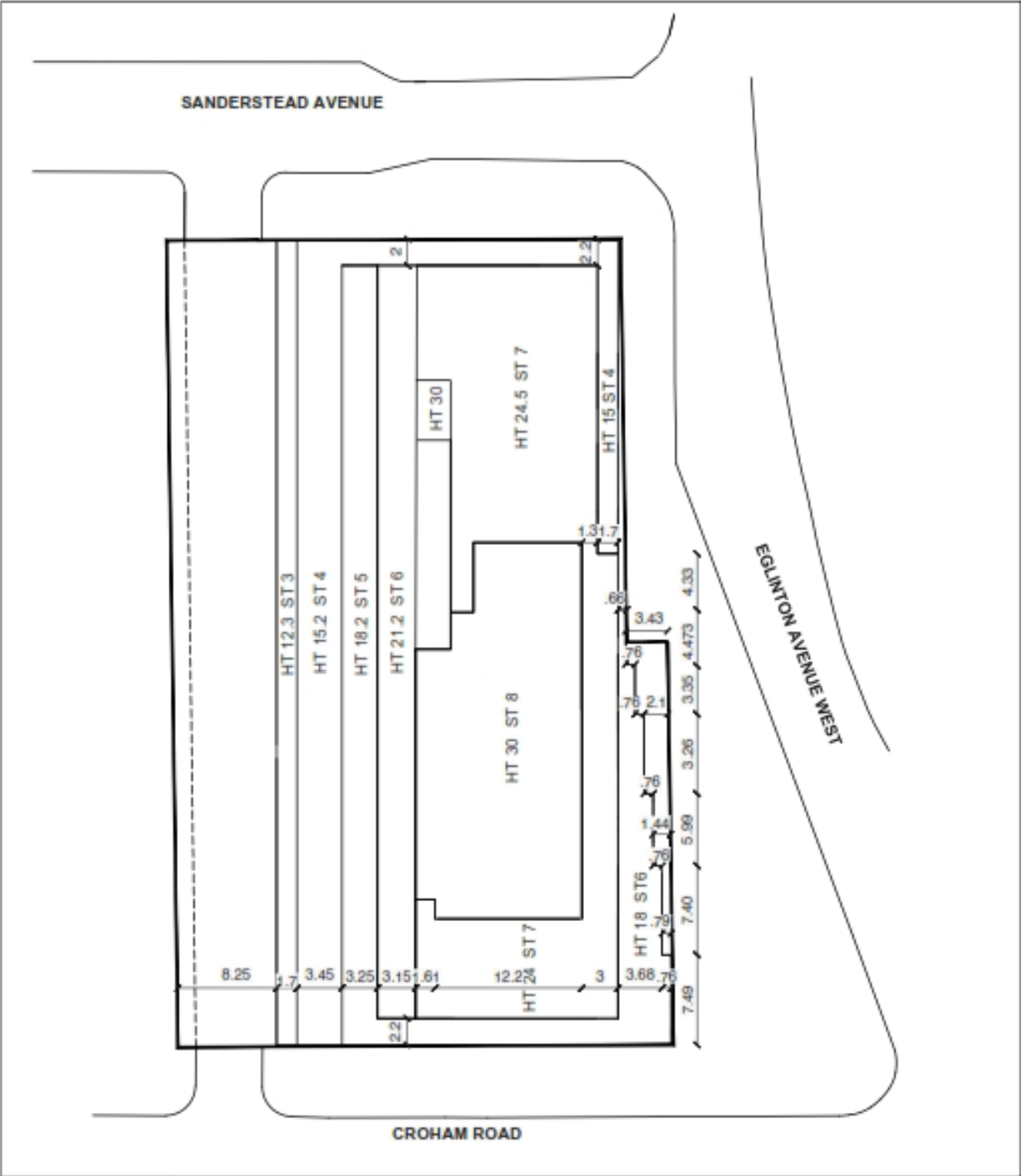
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 **TORONTO**
Diagram 6

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

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 **TORONTO**
Diagram 7

2270-2280, 2296 Eglinton Avenue West,
6 Sanderstead Avenue & 9 Croham Road

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